App F IX 4

Previous References

1945 (mc)

mc File No. 117-45
Serial Nos 7, 8

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos

Part B for Jan 46

SUBJECT

Re Petition of Mr B.S Shivadava Murthy Mysore, requesting Stay Order of the Ejection Proceedings relating to the tenancy of the stall-

L- 5773-

1st Jan 46

States that Govt Cannot interfere at this stage-

To

Mr B S Shivadava Murthy,
Sanitary & Water Supply Contractor
Mysore

The Pdt City mcl Mysore

8/3

C F 74]

3769
L

Routine Notes

[To be used only for notes, requisitions, etc , not intended for permanent record]

Petn dy 21-11-44 from Mr B.S Thammayya contractor Lansdowne Buildings, Mysore, bringing to the notice of govt that he was unnecessarily asked to vacate ~~the~~ shop which he was occupying since 15-5-42 in the Devaraja Market, Mysore.

1) Submitted. 2) If approd, the Petition will be forwarded to the Dist, Ujr Mysore for a report or for disposal

KVG 6/12

3) May be sent for report.

Lawdys / for 6/12/44

4) Dr reports

6-12-44

7/12

GOVT LAW DEPT MYSORE

NB — Should routine notes be written on small slips the notes must be copied or slips pasted on this form

C F 74]

3769 / 5434 / 5480

Routine Notes

WD 07111—GPB—50 000—29 7-44

[To be used only for notes, requisitions, etc, not intended for permanent record]

5) Memo on the Petn calling for a report from the Addl, Asst Surgeon, Mysore is sent up

VMS 7/12

6) Issue

7/12

7) Issue L-5760 11/12/44

Ans A 13/12

Petn dt 13-2-45 from Mr B S Thiruvavaramurthy, Sanyasi Water Supply Contractor, Mysore bringing to the notice of Govt that he was unnecessarily asked to vacate the shop which he was occupying in the Sanyasi Market, for the last three years on a similar petn received from the same Petitioner, a report has been called for from the D & F Asst Surgeon, Mysore on 11-12-44 as directed by the Law Secy in Para 4 supra

Another Petn on the same subject addressed to the Law Secy is also placed in the file

Submit with a memo on the Petn forwarding it to the Addl, Asst Surgeon, Mysore for report in continuation of the previous memo

VMS 14/2 VM 1/

Issue memo signed by me

L 28/7/45

Issued L-8707 1/3/45

N B — Should routine notes be written on small slips notes must be copied or slips pasted on this form

5480 ✓ 5904 ✓ 5975 ✓
8239/L

12) Another Petn received from Mr Thandavamurthi's post up

Letter no R8 PR 457/43-44 dt 8-3-45 from the Pdt, Cfs Mcc, Mysore, stating that the opinion a detailed report will be forwarded to Govt on receipt of the legal opinion called for from the Govt Advocate —

13) Submitted for perusal the receipt of further report may be awaited

Mrs B Tell
25-4-45

— 26/3

14) Yes till the 25th

Letter D 10-6-45 April 1945 from Dr Shandava Murthy requesting early orders

Feb/1945

15) Another petition received from Dr B S Thandava Murthy requesting stay orders - submitted

A draft reminder to the present Deputy Cfs Mcc is also submitted

16) Draft

1946

To, the present Deputy Cfs Mcc

L 12-4-46 dt 23-6-45-

calls for further report within a week

5904
8442/L

Pet' Telegram from Mr B S Thandava Murthy, Mysore, requesting stay order of the Ejectment proceedings relating to the tenancy of the stalls

1) Municipal Minute
Law Secy Dated 23-6

In the application dated 13-2-45 addressed to the Municipal Pdt, Mr B S Thandava Murthy, contractor, Lansdown Buildings Mysore, requested that he may be allowed to continue as a tenant in the Shops in the Devaraj market Mysore, as the payment of higher rent for the stalls demanded by the City Municipality was not covered by the existing Rent-control order

2) This petition was also sent to the president, Mysore city Municipal Council, for expediting the report called for in the matter in this office letter No L 5760, dated 11-12-44

3) On 8th March 1945 after a delay of ~~more than~~ nearly three months, the president sent an ad-interim reply stating that a detailed report would be sent on on receipt of the legal opinion from the Municipal Advocate, in the matter of evicting

the tenant

8462

21) Even the reminder application from the party was also sent to the president, for submitting the detailed report, within a week

22 The circumstances under which the ejectment order has reached the Rent Controller, Mysore District, especially when a report is due to Govt, are not known

23) It is for orders, if the party's pre-paid telegram, received today, asking for stay orders may be sent to the president, Mysore city Municipality, ~~clearly~~ officially, for submission of a report by return of post

24) When the first asked to Messrs for a definite report on the matter, which he promised to send as soon as the file reverts from the tenants. A definite report will be asked to be sent by return post

2/6

It was not proper for the Revenue to have approached the Rent Controller for a report

Law secy 25/6/45

25) Yes
25-6 GS letter
26) Draft to above
25/6/45

27) Send with a draft letter
26/6 by immediate
25/6/45

TYPED
26 JUNE 1945
SEN

W181 : 6462

The President, Mysore City Mcl
L 12-5-50 d 27-6-45
calls for a report by return post

From petition d 6-7-45 from Sri B.S Dhandra
Murthy, requesting for the issue of stay orders for
further proceedings before the House Rent Controller,
Mysore

From the President, Mysore City Municipal Cl
R & 457/43 dated 7-7-45

states that the petitioner is a most unobservable
tenant and is disregarding the lease conditions
and instructions of the Municipality and that it has
therefore become unavoidable to force him to vacate
the shops

It is not known under what provision of law the
Mysore City Municipality can evict the tenant, in
order to realise higher rent, especially when the
Mysore Rent Control order is in force

The orders of the Rent Controller Mysore District
on the case will be awaited

31) The ward section will be requested to
state if the Municipal Mcl can
increase the rents of shops in the
Devaraja Market, having regard to the
present Rent Control order, unless

bodies are exempted from the operation of the provisions

3) What is the sanction for the procedure indicated by the President? Is it legal?

23/7/45

3) If it is observed that the Mysore City Municipality institutes a case against the tenant for eviction under the Control Order for breach of the terms of the lease, posted to 9th July 45 for orders, it may be ascertained from the President as to the decision of the Home Department Mysore whether the Municipal buildings are not exempt from the provisions of the order and tenants cannot be forced to vacate the shops or the rents increased except under the provisions contained in the H.R.C. order.

Since the H.C. President has included proceedings under the order by an award or decision of the Controller in the matter should be forwarded for perusal.

1486/245

W181

35) The Hindu Joint Family Control under Mysore Municipal Buildings also an exception has been made in respect of Karnataka

Reserved for L.S.G. with concurrence

25/7

36) Photostat copy of the Mysore House Rent Control Order, 1942, as amended upto date (Flag N)

37) A copy of the Mysore House Rent control order, 1942, as amended upto date, is

38) The action taken by the President in this case appears to be not legal

39) The Law Secretary will be consulted with regard to the point raised in para 3 supra

Section Officer

8/8

Q No 23

40) The file may kindly be put up after the receipt of the report from the Law Secretary

Section Officer

8/8/

Serial No

668

ADDITIONAL SECRETARY No 1074 Dt 21/8 GOVERNMENT OF MYSORE

TYPING SECT 30 AUG 1945

41) The Municipality as "Landlord" has taken steps to evict the "Tenant" under Rule 8 (2) of the H R C 1939. The proceedings are now pending before the Controller. My statement that the Municipality is the landlord is legal.

Law Secretary 3/8/45

42) Since the case is said to be pending before the H.R.C. it is best to await the order in the case.

Dy 21-8-45

Addl Secretary 3/8/45

Dy 23/8

Law 24/8/45

43) A draft letter calling for a copy of the H R C's order is put up.

Addl Secretary 29/8/45

Dy 29/8

To The President Mysore City Municipality

Dated 7-9-45

calls for a copy of the H R C's order from President Mysore City Municipality

R & 457/43 Dated 12-9-45

45) states that the order of the R C is awaited. Further report will be awaited.

46) The matter may be reminded for [illegible] next week. [illegible]

6/11/45

1/11

NOTE—Contn Sheet

4161 Law

5 >

File No | of 194 | General and Revenue Secretariat

Serial No

Petition from the Thandava Murthy addressed to the Minister Education & H requesting that the proceedings or Exemption order be suspended under Section 11 Clause 4 of the Mysore House Rent Control order, so as to allow him to continue his tenancy

RS 4597/43 d 14-11-45 from the President Mysore City Municipal Council forwards a copy of the order passed by the House Rent Controller, Mysore District and adds that a notice has been issued to the tenant to vacate the shops immediately

3943/4161

(2) The file bearing U-O No 4289 dt 11-45-67 d 27-11-45 directing that Government are not in favour of exempting any Local Body from the Operations of the House Rent Control order, is also put up

(3) The file will now now be sent to Law Section Refer para 42 - Supra

perusal

29/11/45

Law Sec

29/XI/45

Submitted - with ref to para 48, 42, 39 & 32 supra -

The City Municipal Council

461/Law

Petition of Mr Tandavamurthy - of Hy. Cl/II cl

General and Revenue Secretariat | File No | of 194 | [App F III-2

Serial No

is a 'landlord' as defined in cl 2 sub cl (3) of the H.R.C order 1945

5) Fg 'H' is the order of the Controller directing the eviction of the tenant

5a) Though Govt have revisional powers (under cl 11 sub cl (4)) to call for and examine the records at any stage, in the present case, Govt appear to have called for a report from the President of the City Municipality regarding action taken by them (after eviction in) before the (proceedings before HRC were started) municipal law & As such it does not debar the municipality from petitioning to the Controller under the H R C order. The remedy of the party appears to be to appeal to the R C or to move the revisional powers of Govt under cl 11 sub cl (4) of the HRC order to call for and examine the records before the Controller

NKH
7/12/45

5b) The order of the controller is erroneous and municipal council as well as the tenant (petitioner) The petitioner feels aggrieved he has to file an appeal before the Revenue commissioner

NOTE—Contn Sheet

File No. of 194 . | General and Revenue Secretariat

Serial No.

It is also open to Govt. to call for the records at any stage and examine them for the purpose of satisfying themselves as to the regularity or propriety of any decision or order passed or as to the regularity of any proceeding (vide clause 11 of the Rangoon Land Settlement Order 1945).

Rangoon
1st Dec 45

(Law Secy)
Rev Secy
4/12

(b) The decision of the Rangoon Land Settlement Board to hold which class of land should be declared to be town land, in each case, is subject to confirmation by Govt. after

Minute for Govt's approval

1st Dec 45

16/12/45

17/12/45

Submitted with a draft order

17/12/45

Secretary

3225/L

To The D S Thandavamurthy

DS-773 d 1-1-46.

states that Govt cannot interfere at this stage

L S-774 d 1-1-46

copy to proceed with all expedition

~~Sub-P~~/B

B S Thandavamurthy
CONTRACTOR

LANSDOWNE BUILDINGS

Mysore 13th February 1945.

TO

O PULLA REDDY, ESQ,
MINISTER OF REVENUE AND LAW,
GOVERNMENT OF MYSORE, BANGALORE

Respected Sir, Re -My application submitted on 21-11-44, addressed to The Minister Of Local Self Government complaining against City Municipality Mysore

****

I beg to bring to your kind notice that I had submitted an application to The Minister Of Local Self Government enclosing therein copies of correspondence transpired between myself and the City Municipality Mysore which I trust might have been forwarded to your goodself

I may be permitted to mention that I am a tenant in Devaraja Market Buildings belonging to City Municipality Mysore who is paying up the rents regualrly for the past three years Just on 26-6-44, I was served with a notice by The Revenue Officer of City Municipality Mysore asking me to vacate my shop as they are to be disposed off otherwise(Vide Ref No R S P R 457/43-44) in view of getting higher rent I made several representations to the authorities concerned showing clearly that the order in itself was very high handed and much contrary to the existing law Mean while purposely to inconvenience me the improvemental works taken up by the Municipality to my shops were stoped and I have been forced to run my business without proper protection to my shop as the doors have been removed and have not yet been fixed I am one of The Sanitary & Water Supply Contractor, having Government Works to an extent of Thirty to Forty Thousand Ruppes, the goods that are stocked in my shops are without protection and are left entirely to the cares of watchmen throughout the day and night Thereby I have been forced to spend much money for watchmen

Hence I humbly request you to kindly instruct the authorities concerned to immediately fix up the shutters removed and to kindly summon for the entire records from the City Municipality Mysore in the interest of justice and to compensate me for the loss I have been put into by the authorities and oblige

For which act of kindness, I shall be highly grateful to you Sir

I remain,
Respected Sir,
Yours Faithfully,
B S Thandavamurthy

PTO

Memo no L

Forwarded with Compliments to the President, City Municipal Council, Mysore for report in continuation of this office memo no L 57608/11-12-44

The Petitions may be returned with the report

By order

for secy to Govt
Law Deptt

B S Thandavamurthy
CONTRACTOR

LANSDOWNE BUILDINGS

Mysore 10th March, 1945

No

To

THE MINISTER OF REVENUE & LAW,
GOVERNMENT OF MYSORE-BANGALORE

Respected Sir,

I beg to state that I had submitted applications dated 21-11-4 last being 15-2-45, addressed to The Secretary, Law & Local Self Government, Bangalore in connection with the inconveniences caused me as a Tenant to City Municipality, Mysore In this connection I have been forced to run my show-room without shutters to the newly fixed doorx frames. I made several representations to The Municipa authorities to no avail, not content with the inconveniences caused to me they have even disconnected light services and have thought it best to make a claim of Rs.18/12/- for energy supplied to the installation No.R.R.75/L.F.223, a copy of which is reproduced and sent for your kind reference. In this connection I would like to bring to your kind notice that I am in possession of the building for the last Three years, and the question of payment of lighting charges never came in either at the time of occupation or at the time of receiving the monthly rents The Electrical Department un like any other department is very prompt in collecting their bills punctually and disconnect the services of defaulters. It is really surprising to receive a notice now from the Municipal Authorities, directing me to honour the bill sent by The Electrical Department It may not be out of place to mention that I have been unnecessarily meddled with and inconvenienced setting apart the law and reason an exercising their power

Hence, I humbly request you to kindly instruct the Municipal Authorities to give me immediate protection to my goods by afixing doors to the newly fixed frames, and thus enable me to save the wat man charges and also restore the light services. The concerned records and the entire file may be looked into in detail and thus protect the rights of a humble citizen. Begging to be excused for the inconveniences caused.

For which act of kindness, I shall be ever grateful to you Sir

Yours Faithfully,
B.S Thandavamurthy

Enclosed -
A. Copy of letter sent from -
The City Municipality, Mysore

TRUE COPY

CITY MUNICIPAL OFFICE,
Dated Mysore.8thMarch 1945

MEMO

Reference - Bill for Rs.18/12/- for energy supplied to the installation No R.R.73/L.F 223(Fixed in the shops Nos 110 to 114, Devaraja Market)

Mr.B S.Thandava Murthy, tenant of the above shops is informed that the President has ordered in his No B R.16/44 dated 9-2-1945, that the above noted amount is recoverable from the tenant Hence he is informed that he should pay the amount referred to above, to the Electrical Department on receipt of bill from the Superintendent, Mysore Power & Lights, to his address Further he is informed that he should bear the cost of lights fixed in the above shops in future, since a separate meter is fixed for these shops

Sd/-H. C. Jambukeshaviah,
Revenue Officer,
8/3

As
8-3-45

No R8-PR457/43-44 5904
Encl

Office of the President
City Municipal Council Mysore
Date 8th March 1945

From

R Ramachandra Rao Bhombore, Esq B A
President, City Municipal Council,
MYSORE

To

C.Narayanaswamy Naidu, Esq., B A ,B L ,
Legal Remembrancer and Secretary to Government,
Law Department, Bangalore.

Sir,

With reference to your memo No L.5760 dated 11-12-1944 and No L.8707 dated 28-2-1944, forwarding for report the petition of Mr B S.Thandava Murthy, tenant, Shop No 100,111, 112 and 113 of Devaraj Market, Mysore, representing that he may be allowed to continue as tenant and that certain improvemental works taken up by the Municipality, may be completed etc , I have the honour to state that the Municipal Advocate has been requested to furnish the legal opinion in the matter of evicting the tenant and his reply is awaited He has again been reminded A detailed report will be submitted for the information of Government immediately the file of papers are received from the Municipal Advocate.

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT

SNR

25 JUL 1945

L- 12451 / 23/6/45

To The president,
Mysore city Municipal

Sir,

With reference to the correspondence ending with your letter no R & P R 457/43-44 dt 3-45 I am directed to forward herewith another application dated 10-6-45 received from Sri Dhandava Murthy who returned with the reply requesting that he may be allowed to continue as a tenant in the shops in the Devaraja Market Mysore, and to request that your further report in the matter

B S Thandavamurthy
CONTRACTOR

LANSDOWNE BUILDINGS

Mysore 21st June 1945

GEN & REV SECRETARIAT
23 JUNE 1945
L S G BRANCH

Law Secy
1716

To

O.PULLAREDDY ESQ ,I.C S
MINISTER FOR REVENUE & LAW,
PUBLIC OFFICES, BANGALORE

OFFICE OF THE MINISTER
FOR REVENUE & LAW
No. 6321
Date 23/6/45

Reference -

My application to you dated 21-11-44, regarding the attempts by the Mysore City Municipality to eject me from Devaraja Market, Mysore

---

Respected Sir,

I beg to confirm the Telligram sent to you as follows -

APPLICATION TENTH PRAY STAY ORDER EJECTION PROCEEDINGS POSTED TODAY DEPUTY COMMISSIONER MYSORE

Permit me to bring to your kind notice that I have made several applications to you starting with 21-11-44 repeatedly ending with my last application dated 10th instant I beg of you to kindly excuse me for having taken the liberty to worry you when you have very much engaged in Legislative Sessions As already stated I have been coerced and harrassed by The Municipality Mysore and request your goodself to kindly order for stay proceedings before House Rent Controller, and send for the entire records from The City Municipality Mysore, including my 1st application submitted to The President City Municipality, Mysore dated 31-3-42 and subsequent petitions addressed to The Revenue Officer dated 7th May 1942 and oblige

For which act of kindness, I shall be ever grateful to you Sir

Yours Obediently
B S Thandavamurthy.
Petitioner

Mysore

P T.O

27/6/45 y 194

mediate

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A P/R

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L-12580
Imed. ✓

Immediate

27/6/45

To

The president, Mysore city Mcl

Sir,

In continuation of this office letter L 12456, dated 23-6-45, I am directed to forward herewith the telegram dated 21-6-45, received from Mr B S Thandava Murthy, Contractor, requesting stay order of the Ejection proceedings relating to the tenancy of the stall in the Devaraj market, Mysore, and to request that a detailed report in the matter referred to in your letter No R & P R 457/43-44, dated 8-3-45, may be submitted to Govt by return of post. Thanks

Yours faithfully

Order for further proceedings before the House Rent Controller Mysore

P T O

29

A sum of *Rs
Telegram No
Form will be accep
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*Note.—The su

NB—If this Form
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the difference if it be not
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suspecting this Telegram shoul
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SECRETARIAT
11 JUL 1945
G BRANCH

MYSORE
Dated 6th July 1945

TO

O.PULLA REDDY, ESQ ,
I C.S
MINISTER FOR RLVENUE AND LAW, BANGALORE

OFFICE OF THE MINISTER
FOR REVENUE & LAW
No. P 43
Date 7/7/45

Reference

My application to you dated 21-11-44, regarding the attempts by The Municipality to eject me from Devaraja Market Mysore

Respected Sir,

I beg to invite your kind reference to my above application and the confirmation letter of Telligram sent to you on 21-6-45 In this connection I would like to impress upon the urgency of relief sought as the case is posted before the House Rent Controller on the 9-7-45 I have sent herewith copy of Plaint filed by the City Municipality along with their reply notice etc for your kind information

If you peruse the records Sir, you will certainly make out and see how they try to drift from one point to the other and adjust themselves to gain their object At different times the Municipality has put forward differnt grounds for seeking ejactment I may be permitted here to point out that in the 3rd para of reply notice issued by the Municipal Advocate at the instructions of the President that - For the proper and effective administration of the Municipal Market and also with a view to make necessary improvements to the premises the Managing Committee has resolved that the Market Sargeants Office should be shifted to this place, hence necessary improvements had to be made Your client after the expiry of the lease was accordingly requested to vacate the premises etc and your client was promised to be allowed to continue in one shop I would like to point out the endorsement given by the President City Municipal Council bearing No M 5-26-135/44 dated 5-9-45, disallowing my application before the Managing Committee stating that such a procedure is not warranted by the rules etc as you could see from the records copy of the entire correspondence transpired between myself and the Municipality submitted along with my application dated 21-11-44, you will see Sir, several charges made against me is baseless, unfounded and only to deprive the rights of an individual May Sir

May I there fore request your goodself to kindly send for the entire records and see that the interests of an humble citizen is safe guarded, and further issue a Stay Order for further proceedings before the House Rent Controller Mysore

P T O

For which act of kindness, I shall be ever grateful to you Sir,

Yours Obediently

B. S. Thandavamurty

FroM -

B.S. Thandaya Murty,
Sanitary & Water Supply Contractor,
Devaraja Market Buildings, Mysore

TRUE COPY

M.Shankeriah,B.A.,LL B

Office of the Municipal Advocate, Ervin Road, Mysore City, Dated 16th April 45

To

A.Venkateshiah,Esq , B A ,LL B
and
A Rama Rao,Esq ,B A , LL B ,
Advocates, Santhepet, Mysore

Dear Sirs,

Under instructions from the President, City Municipal Council, Mysore and in reply to your Office Notice No 1978 dated 8th September 1944, I state as follows -

That your client has been using the premises leased out to him as a godown contrary to the terms of the lease deed executed by him dated 25-3-44

For proper and effective administration of the Municipal Market and also with a view to make the necessary improvements to the premises the Managing Committee, has resolved that the Market Seargeants Office should be shifted to this place, hence necessary improvements had to be made Your client after the expiry of the lease was accordingly requested to vacate the premises etc and your client was promised to be allowed to continue in one shop

Your client most unreasonably and contrary to the terms of the agreement has neither vacated nor allowed the necessary improvements to be completed The Municipality is put to great loss as the rent paid at present by him is also unfair

The allegation that improvements have been completed or that the Municipal authorities have removed the shutters of newly fixed doors are absolutely false

Your client's continuance in the premises is illegal and if he fails to vacate the premises with in 3 days from the date of receipt of this notice except the portion that would be permitted to him, necessary action will be taken for taking possession of the premises and your client will be liable to pay all the costs and loss of the Municipality and that the Municipality will not be liable for any thing

Yours Faothfully,

Sd/- M Shankeriah,
Municipal Advocate

P T O

BEFORE THE DEPUTY COMMISSIONER RENT CONTROLLER,
MYSORE DISTRICT, MYSORE

No.162/-1944-45

Petitioners -The President, City Municipal Council, Mysore
Vs
Respondent - B S Thandava Murthy, Contractor,
Lansdowne Buildings, Mysore City

APPLICATION UNDER THE RENT CONTROLL ORDER

The Petitioner beg to state as follows -

1 That the respondent took for lease from the petitioner the properties described in the schedule for a shop agreeing to pay a rent of Rs 30/- per mensum for a period of 3 mths up to the end of June 1944 and executed a lease deed dated 25-3-44, produced herewith agreeing to abide by the conditions laid down therein

2 That the petitioner after the expiry of the period under the lease deed requested the Respondent to vacate the schedule properties as material alterations and repairs has to be effected to the properties and also as the said properties were needed for the purposes of the location of the Market Sargeants Office.

3 That the Respondent contrary to condition 5 of the lease deed executed by him has been using the properties as a godown for storing goods instead of using it for trade purposes The Respondent has grossly violated the terms of the agreement

4 That the rent that is paid by the Respondent is not also fair and it is too low and the petitioner has been incurring heavy loss by the persistant attitude of the Respondent in not vacating the properties The Petitoner can get far higher and yet fair rent from the properties

5 That the respondent wants to take undue advantage of the Rent Controll Order and pay the low rent After the effecting of the repairs the property is capable of fetching high and yet fair rent Besides the protion is urgently required for locatiing the Market Sargeants Office

That by the Continuance of the respondent as a tenant not only there would be a loss of Municipal Revenue but great inconvenience will be caused by not locating the Sargeants Office in the said place

Hence the petioner prays that Respondent be evicted from the said premises and put the petitioner in possession of the properties -

Schedule -

Properties bearing shop Nos 110,111,112 and 113 Devarja Market, bounded on the East - by shop Nos 108 and 109 Devaraja Market and door way leading to Thandava Murthy's shops West - By the Foot Path North - By Market insite passage and latrine gate South - By picture shop Nos 385/1,386/2, 386/1 and 2, Devarja Mkt and foot path

Sd/-M S

President,
City Municipal Council,

I the President, City Municipal Council

No R8 4c - 43 Exee 3
Enc

REV & REV SECRETARIAT 272 11 JULY 1945 L S G BRANCH

Office of the President
City Municipal Council Mysore

Date 7th July 19 45

From

K Ramachandra Rao Bhombore, Esq B A
President, City Municipal Council,
MYSORE

To

C Narayanaswamy Naidu, Esq , B A , B L ,
Legal Remembrancer and Secretary to Government,
Law Department, Bangalore

Sir,

With reference to your letter No L 12580 dated 27-6-1945 calling for a detailed report re the allegations made by Mr B S Thandavamurthy, tenant, Shop No 110,111,112 and 113 of Devaraja Market, I have the honour to state as follows -

The above noted shops were leased out to him on a monthly ~~rental~~ rental of Rs 30/- with effect from 15-2-1941 and the lease is renewable every year i e , from 1st July of each year The lease was renewed for the year 1943-44 as usual The tenant was asked to vacate the shops after the termination of the lease for 1943-44 as there was need to subdivide the same into small shops to meet the demand, and as several alterations and repairs had to be effected to the properties, so as to locate the Market office in a portion as per resolution of the Managing Committee Further, the tenant was using the shops as godown for stocking hardware contrary to the terms of lease, though the shops were specifically meant for trade purposes If the shops are leased to others the Municipality would get much more rent, and as such the Municipality is ~~incurring~~ losing heavily while incurring expenditure for maintaining the market building It was therefore necessary to dispose of the shops otherwise By the persistant attitude of the tenant in not vacating the shops after lease period as per conditions, the municipality is put to great loss He wants to take undue advantage of the rent Control Order although this is a public building and pay low rent As the tenant began to defy the municipal ~~ity~~ authorities and their orders and was causing loss of revenue besides preventing the location of the market office in the said place, a case has been lodged against the tenant under Rent Control Order for evicting him from the said shops The case stands

stands posted to 9-8-45 (9-7-45)

As regards the delay in completing the improvement works to the shops as alleged by the tenant, it is reported by the municipal Engineer that the work was nearing completition but the tenant refused to allow entry to the contractor to finish the same Improvements could not be completed due to the obstinate nature of the tenant and his not giving the necessary facilities for completing the contemplated improvements but the tenant is not inconvenienced These improvements are not intended for this tenant but to enhance the utility and rental value of the shops

The allegations made are baseless The petitioner is a most undesirable tenant and is disregarding the lease conditions and instructions of the municipality It has therefore become unavoidable to force him to vacate the shops

The enclosures received with your letter and the petitions dated 15-2-45 and 10-6-45 are herein enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT

BS

MINISTER OF STATE FOR LAW
No. 6322 23/6/45

INDIAN POSTS AND TELEGRAPHS DEPARTMENT

C.

POLICE

SECY. & REV. SECRET

This form must accompany any inquiry made respecting this telegram.

Handed in at (Office of Origin)	Date	Hour	Minute	Service Instructions	Words
					20

TO Kyarday O Pullarday Esq

Received here at 10 H. 8 M

Minister [illegible]

Application Tuesday stay order injunction proceedings posted Today deputy commissioner [illegible] Thundayamuthy

N B —The name of the Sender if this is required is written after the text.

Under Rules, Calcutta—No. 21 [illegible] 1301—14 12-46—1,00,000 Bks.

8280

Rec'd post on 13/6/45 Law Secretary

LAW OF

LANSDOWNE BUILDINGS

Mysore 10th June 1945.

C. C. OF THE MINISTER FOR REVENUE & LAW
No P.1068-
Date 12.6.45

E HINDU SUNDAY JUNE 10

ENHANCED RENT LEVY ON TRICHY STALLS

GOVERNMENT ORDER SUSPENSION

TRICHINOPOLY June 8

Orders have b n r eived from Govern ment instructing the Comm s oner Trichy Mun ip lity to suspend th op rat on of the C unc l s r solution dated 20th Feb ruary last and to stop the collect on of en han ed rent f r the stalls and the evict n of tenants pend ng final d c ion of the Gov ern n nt on the p tit on g ven by the mer hants

The Tri hy Muni pal Counc l passed a r soluti n on Feb uary 20 that the rent in ti Gandh ma ket should be enhanc d by 33 and 1/3 p r c nt The mer h nts f the G ndh ma ket p t sted ga nst this en han ement and contend d th t the Madras N n Res dent al Build ngs Rent Control Ord appl ed to the Munic p l ty al o and that they sh uld not enhance the rent w th out rec ur e to th t d r The Mun p l ty g v notice n May 16 to the mer hants for p yment of the enh n d rent and threatened evict n if it w s not p d On th s the T chy D t t M r hant Ass t n m d repre ntat n to G v rn ment and the Government passed orders as stated ab ve—F O C

ESQ ,
R LAW AND REVENUE,
RE BANGALORE, PUBLIC OFFICES,
BANGALORE

ance -

My application to you dated 21-11-44, regarding the attempts by the Mysore City Municipality, t eject me from the Devaraja Market, Mysore

****

of my application dated 21-11-44,13-2-45 and subsequ back in the above matter enclosing copies of entire spired between myself and the City Municipality Myso ou were good enough to call for the records from th Municipality Mysore Instead of complying with your order and to emba me the Municipality has filed an application against me before the Depu Commissioner,Mysore on 23-5-45, vide C D H R 162/44-45, to eject me fr the premises occupied by me in Devaraja Market,Mysore

If you should peruse the records after getting them from the Mu cipality, you will see, Sir, that at different times the Municipality put forward different grounds for seeking ejectment

I am a businessman carrying on business in Sanitary and Water Su materials and am having Government, Railways and Palace Contract Works I regret very much to state that the Municipality is behaving like a bi Land-Lord and is coercing me to leave the premises They have not put shutters for the door frames, which were substituted in place of the fo windows and have also cut off the Electric Light on some pretext In t connection Sir, I may be permitted to point out to you the precarious p tion to which I have been subjected Knowing fully well that the matt has been brought to your notice and a report is called for from your go self for final decision, the Municipality, has preferred an application before the House Rent Controller, for ejection

I therefore, humbly request your goodself to immediately send fo the entire records and also direct stay proceedings before the House Re Controller, pending decision at your hands, as I aprehend danger from The City Municipality,Mysore in the interest of justice and personal lib

For which act of kindness, I shall be ever remain grateful to yo Sir Expecting a line in reply

Yours Obediently
B S Thandavamurthy

P S -
A cutting pertaining a similar case published in Hindu 10-6-45, timely intereference of Government have rescued the Stall Holders of Trichy belonging to Municipality is enclosed for your kind perusal

Yours faithfully

To

Bangalore,

15th February 1945

The Secretary to Government,

Law & Local Self Government Departments,

Public Offices, Bangalore

5734

Sir,

I wish to bring to your kind notice that I am one of the tenants in Devaraja Market Buildings, Mysore, belonging to the City Municipality, Mysore, for the last three years paying up my rents regularly Unfortunately, I have been asked to vacate my shops by the Municipal authorities without minding my repeated requests and representations made to them assuring that I would pay the usual enhancement of rent which they propose to levy uniformly to the other tenants of Devaraja Market -

Certain improvemental works to the shops occupied by me were taken up as desired by me a year ago, which the Municipal Council accorded sanction, but unfortunately the improvemental works, taken up by the Municipal Engineering Department, six months back have abruptly been stopped, thereby causing me much inconvenience as the door frames newly fixed are without shutters and there is no protection to my goods I have been forced to spend much to watch and ward my goods

Hence, I humbly request you to kindly send for the entire file of correspondence transferred between myself and the Municipality, and to instruct the authorities to complete the rest of the improvemental works by fixing up shutters to doors and thus afford me protection

I shall be ever grateful to you Sir, for a line in reply

Yours faithfully,

B S Thandavamurthy

From -
B S Thandava Murthy,
Sanitary & Water Supply Contractor,
Lansdowne Buildings, Mysore

L-8707

1/3/45

Forwarded with Compliments to
the President, City Municipal Council
Inquire for favour submission of
report - in continuation of this Office
Memo No 5760 dt. 11.12.44

PRESIDENT CITY MUNICIPAL COUNCIL
No 5449
Date 2/3/45
MYSORE
OFFICE OF THE

The report
Secretary
2/3/45

No full facts in case
to be urged other than
of fact R 2d MS--26-135/44

Immediate

Memo

Forwarded to the Revenue officer, CMC Mysore
He will please send the report after perusal of the matter
immediately and obtain his opinion as it
is regrettable that the Municipal Advocate
should have delayed to furnish his opinion
inspite of the issue of reminders

President
3/3/45

RC
for Advocate
has not been
received from
Advocate?

No
5/3

See above remarks
and to work

Sd
A
6/3/45

2129

Mysore
Dated 17-9-1945

TO

Dr T. C M. Royan,
Minister for Public Health & Education,
Public Offices, Bangalore

Respected Sir,

Re -My application to The Minister of Revenue & Law dated 21-11-44, in connection with the attempts made by the Municipality Mysore to eject me from Devaraj Market Buildings, Mysore

ADDITIONAL SECRETARY
No
Date
GOVERNMENT OF MYSORE

I beg to invite your kind reference to my several applications made to the authorities commencing from 21-11-44 and ending on 6th July 1945, addressed to The Minister of Revenue & Law As the City Municipality comes not under your Port-Folio, I am sending my representation to your goodself for an early redress in the interest of personal liberty and justice

I beg to state that The Minister for Revenue & Law, was good enough to call for a report from the City Municipality Mysore on the representations made to him by me, and am sure by now you might have been in receipt of a Report from The President City Municipality Mysore If you kindly peruse the records Sir, you will see that the report submitted by them is far from truth and facts, and the allegation made by them against me is to suit their purpose and gain their object depriving the rights of an humble citizen In this connection, I humbly suggest to your goodself to send for the entire records rather than deciding on the strength of report submitted by them, as the records will certainly disclose the reality or truth of affairs

During your visit to Mysore just few months back, I was fortunate to meet you in person and was assured that you would look into the records It is needless to point out that I made representation as early as 21-11-44, explaining clearly that the Municipal Authorities have taken up action which is very high handed and infringes and curtails the rights of an individual, at the same time defeating the very purpose of "THE RENT CONTROL ORDER" Knowing fully well that you have called for a report from The City Municipality, Mysore, just to side track the issue and to gain their object and to have the maximum benefit of The Mysore House Rent Controll Order 1942, section 9 Clause 3 wanted to herass me by dragging me unnecessary before Court. They have preferred an application before the House Rent Controller, Mysore District Mysore (Vide C B H R 162/44-45 dated 23-5-1945, the arguments were heard on 29-8-45, and orders are awaited) It is really interesting to see that at different times the City Municipality Mysore has put forward different grounds for seeking ejectment and are behaving themselves worse than a bad Land-Lord, resorting

P.T.O

to all sorts of mischief by way cutting off Electric Light on some pretext or other refusing to accept rents, not fixing up shutters to the newly fixed frames in place of the windows, which is not worthy to an institution Besides they have issued a reply Notice through the Municipal Advocate stating that the premises occupied by me is required for Market Sargeants Office as per Municipal Managing Committee Resolution and am sure that there is no resolution to the effect, though summoned before Court to produce the same they have pleaded inability to do it This one particular instance will certainly bear out as to the Testdmony of the Report submitted to your goodself from the Municipality, Mysore If men vested with great powers expected to maintain law and order to protect the poor and helpless deny justice, will there be any salvation to poor individual like me?

May I therefore appeal to your goodself to kindly summon for the entire records from City Municipality, order for stay proceeding before House Rent Controller, dispose off my case giving me an opportunity to represent either in person or through Council, directing The City Municipality Mysore to fix up immediately the shutters to the newly fixed door frames, restore lighting service to safe guard the interest of a humble citizen

For which act of kindness, I shall be ever grateful to you Sir

Mysore
17-3-1945

Yours faithfully,
B S Thandavamurthy

From -
B S Thandavamurthy,
Sanitary & Water Supply Contractor,
Lansdowne Buildings, Mysore

To -

Copy forwarded for information to -

The Secretary to Government,
Law & Local Self Government Departments, Public Offices, Bangalore

2116

Office of the President,
City Municipal Council, Mysore 24945

No R8 457/43
Encl

Date 12th September 45

From

R Ramachandra Rao Bhombore, Esq B A,
President City Municipal Council,
MYSORE

ADDITIONAL SECRETARY
No 50
Date 14/9/45
GOVERNMENT OF MYSORE

J B Mallarqdhya Esq , M A ,
Additional Secretary to Government,
Bangalore

Sir,

With reference to your letter No L 1819 dated 7-9-1945, requesting to forward a copy of order passed by the House Rent Controller, Mysore District, in the case filed by Mr B S Thandava Murthy, tenant, Devaraja Market, I have the honour to state that the copy of the order referred to above has not been received yet The House Rent Controller, Mysore District, has this day been requested to furnish a copy of the order and the same will be sent to you on its receipt from the Controller

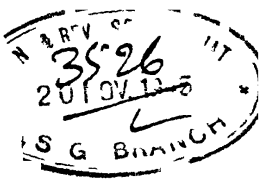
I have the honour to be,
Sir,
Your most obedient servant,

BS

PRESIDENT

L-1819

7/9/44



THE MYSORE HOUSE RENT CONTROL ORDER, 1942

(As amended up to September 1944)

[Notification No 3523—W dated the 16th June 1942 as amended by Notification No W 1935—W 157 43 dated 21st February 1944 and Notification No W 555—W 44 44 4 dated 7th September 1944]

In exercise of the powers conferred by clause (bb) of sub rule (2) of Rule 81 of the Defence of India Rules as applied to Mysore the Government of His Highness the Maharaja are pleased to make the following order —

1 (1) This order may be called the Mysore House Rent Control Order 1942

(2) It shall come into force at once

(3) It shall extend to such areas as are notified by Government in this behalf

2 In this order unless there is something repugnant in the subject or context —

(1) Controller means the Deputy Commissioner of the District in which the area to which this order is extended is situated or such other officer as may be appointed by Government

(2) House means *in the Bangalore and Mysore Cities any building or part of a building suitable for any purpose residential or non residential and elsewhere* a building or part of a building suitable for occupation as a residence and includes—

(a) the garden grounds and out houses (if any) appurtenant to such building or part of a building and

(b) any furniture supplied by the landlord for use in such building or part of a building

(3) Landlord includes the person who is receiving or is entitled to receive the rent of a house whether on his own account or on behalf of himself and others or as an agent or trustee or who would so receive the rent or be entitled to receive the rent if the house were let to a tenant

(4)† Tenant means any person by whom or on whose account rent is payable for a house and includes a person continuing in possession after the termination of a tenancy in his favour †

3 When on a written complaint or otherwise the Controller has reason to believe that the rent of any house within the local limits to which this order applies is excessive he shall hold a summary enquiry and record a finding

4 If on a consideration of all the circumstances of the case including any amount paid or to be paid by the tenant by way of premium or any other like sum in addition to rent the Controller finds that the rent of the house is excessive, he shall determine the fair rent to be charged for the house

5 In fixing the fair rent under clause 4 the Controller shall have due regard to the prevailing rates of rent for the same or similar accommodation in similar circumstances during the twelve months prior to the 1st January 1942 and in the case of a house which has been constructed after that date also to any general increase in the cost of sites and building construction

6 When the Controller has determined the fair rent of a house—

(a) the landlord shall not charge any rent in excess of such fair rent

(b) any agreement for the payment of rent in excess of such fair rent shall be null and void in respect of such excess and shall be construed as if it was an agreement for payment of the said fair rent

(c) any sum in excess of such fair rent paid whether before or after the commencement of this order in respect of residence after the commencement of this order shall be refunded to the person by whom it was paid or at the option of such person otherwise adjusted

7 (1) After the commencement of this order an increase in rent shall be permissible only where some addition improvement or alteration not included in necessary repair or repairs which are usually made to houses in the local area has been carried out at the landlord's expense since the rent was fixed

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— Inserted by Notification No W 1935—W 157 43 12 dated 21st February 1944

†—† Inserted by Notification dated 7th September 1944

(2) Any such increase in rent shall not exceed 7½ per cent per annum of the cost of such addition improvement or alteration and shall not be chargeable until such addition improvement or alteration has been completed

(3) Any dispute between the landlord and the tenant in regard to any increase of rent claimed under this clause shall be decided by the Controller

*8 (1) A tenant in possession of a house shall not be evicted therefrom whether in execution of a decree or otherwise and whether before or after the termination of the tenancy except in accordance with the provisions of this clause

(2) A landlord wishing to evict a tenant in possession shall apply to the Controller for a direction in that behalf If the Controller after giving the tenant a reasonable opportunity of showing cause against the application is satisfied—

(i) that the tenant has not paid and is not ready and willing to pay the rent due in respect of the period before such application or

(ii) that the tenant is not ready and willing to pay the fair rent of the house for such period thereafter as he may continue to be in possession or

(iii) that the tenant has without the consent of the landlord sublet the house or any part thereof or used it for a purpose other than that for which it was leased or

(iv) that the landlord was at no time during the twelve months immediately preceding the date of his application residing within the limits of the city town or village in which the house in question is situated that he has acquired his interest in the house by inheritance or if not by inheritance at a date prior to the beginning of the tenancy or the 17th June 1942 whichever is later that it is essential in the public interest that he should take up residence in such city town or village and that he is unable to secure other suitable accommodation

the Controller shall make an order directing the tenant to put the landlord in possession of the house and if the Controller is not so satisfied he shall make an order rejecting the application In the former case the Controller may grant the tenant a reasonable time having regard to all the circumstances of the case to vacate the house

(3) Every order under sub clause (2) directing a tenant to put the landlord in possession of the house shall subject to the provisions of clause 9 be final and such order shall be executed by such Civil Court as may be specified in this behalf by the District Judge having original jurisdiction over the area in which the house is situated as it were a decree passed by him

(4) A landlord evicting a tenant in pursuance of an order of the Controller under sub clause (2) (iv) shall not let the house or any part thereof to any person other than the original tenant except with the written permission of the Controller

(5) The Controller shall summarily reject any application under sub clause (2) which raises substantially the same issues as have been finally decided under the provisions of this order in a former proceeding between the same parties or between parties under whom they or any of them claim

(6) Where an application under sub clause (2) for evicting a tenant after the termination of the tenancy has been rejected by the Controller the tenancy shall be deemed to have been extended for an indefinite period on the same terms and conditions as before and shall not be terminable by the landlord except on one or more of the grounds mentioned in sub clause (2) *

9 (1) Any person aggrieved by an order of the Controller may within fifteen days from the date on which the order is communicated to him present an appeal in writing to the Revenue Commissioner in Mysore

(2) The Revenue Commissioner shall then send for the record of the case from the Controller and after perusing such record and after making such further enquiry as he thinks fit either personally or through the Controller shall decide the appeal

†(3) The decision of the Revenue Commissioner and subject only to such decision an order of the Controller shall be final †and shall not be liable to be called in question in any Court of Law †

— Substituted for the old clause by Notification No W 555—W 44-44 4 dated the 7th September 1944

†—† Inserted by Notification No W 555—W 44 44 4 dated the 7th September 1944

Price 0-0 6

PRINTED BY THE SUPERINTENDENT AT THE GOVERNMENT PRESS BANGALORE

GEN ARY CF 35-26 20 NOV

No L-1819 7/9/45

To

The President,
The Municipal Council
Mysore

Sir,

With reference to the Commissioner's
No R & 457/43 dated 7-7-45,
forwarding a report on the petition
received from Mr B.S Thandava
Murthy, contractor, requesting stay order
of the Ejectment proceedings relating
to the tenancy of the site in the
Devaraj Market, Mysore, I am directed
to request you to kindly forward
a copy of the order passed by
if any

The House Rent Controller Mysore
Dist in this behalf

I have the
honour
to be
Sir
Your obedient servant

BEN & REV SECR 35-26 20 NOV 1945 L S G BRANCH

To

Dr T C M Royan,

Minister for Public Health & Education,

B A N G A L O R E

Date 16 11 45 No P 5884

Respected Sir,

Re - My Application to your goodself dated 17 9 1945 regarding the attempts made by City Municipality, Mysore, to eject me from Devaraja Market Buildings

---

I am a tenant to City Municipality, Mysore in Devaraja Market Building from 15 5 1942 and I am very regular in payment of rents But The City Municip-ality Mysore entertained an application on 7-6-45 from one Doreswamy Chettiar who offered higher rent for the premises occupied by me and issued me a notice calling upon to vacate the premises on grounds of expiry of term of lease period

In reply to the notice I requested the authorities to continue the lease term as usual as there were no special reasons to ask me alone to vacate and would lead me to greater trouble during these hard days and to treat me alike with the other tenants

Later on The Municipality Mysore put forward a plea of repairs to the said building, meanwhile I had preferred an application requesting them to effect certain improvements to the Building by opening out Door Ways to the western Side in place of the existing windows and the Municipal Council accorded sanction in the meeting held on 24-4-44 Vide W C R W No 1266 amounting to Rs 461/- The Engineering Department had put the work on hand and the work was almost complete except fixing up of Shutters to two door ways and to my surprise the works were stopped making me to run my business without adequette protection to my belongings and my several representations made to the authorities were in vain The building in question was let out to me on my application dated 7-5-42, addressed to The Revenue Officer, City Municipality for reasons stated in the above application Viz to stock my goods and use them on my business

I had to seek remedy at your hands as the Municipal Authorites wanted to unnecessarily inconvenience me and submitted my First Application to you on 21-11-44, and you were kind enough to call for a report from The City Municipality Mysore Meanwhile, just to side track the issue they filed a Case before House Rent Controller, seeking my ejection from the premises, putting forth a new plea that the premises occupied by me was urgently required as per Municipal Managing Committee Resolution to shift the present Market Sargeants Office to the premises occupied by me During the trial of the case when the Minute Book of the proceedings was asked to be produced, The Municipal Advocate confessed before House Rent Controller, Mysore that no record or mention is made in the Minute Book Many other documents that were relevant in the Case has been purposely withheld by The Municipality, and have not produced them before The House Rent Controller, Mysore and have been totally denied justice

Contd

Under the above mentioned circumstances, in the interest of Justice and personal liberty, I pray your honour to kindly direct that the proceedings or execution of order be suspended under Sec 11 Clause 4 of House Rent Control Order dated 6th November 1945, and save me from unnecessary interference and inconveniences from The City Municipality Mysore, by allowing me to continue my Tenancy Further, I agree to pay any usual enhancement in Rent permissable under Law Herewith attached the copy of Judgement passed by The Rent Controller Mysore District, Mysore for your kind reference

For which act of kindness, I shall be ever grateful to you Sir

I remain,
Respected Sir,
Yours Most Obediently

Bangalore
13-11-45

B S Thandavamurthy

From -

B S.Thandava Murthy,
Sanitary & Water Supply Contractor,
Lansdowne Buildings, Mysore

P.S:- The concerned original records may kindly be looked into which will disclose true state of affairs

TRUE COPY

IN THE COURT OF THE DEPUTY COMMISSIONER MYSORE DISTRICT?
MYSORE

C.D.H R 162/44-45

Petitioner -Govt (The President City Municipality Council
Mysore(By Mr M.Shankeriah,Lawyer,Mysore)

V/s

Respondent - B S Thandava Murthy,
(By Mr H Hombe Gowda, Advocate)

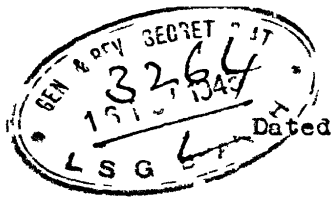
O R D E R

Heard the Counsels for the Petitioner and the Respondent The records were perused It is urged on behalf of the Petitioner -The Mysore City Municipality that the shops let out as per the terms of a lease deed to the respondent has been recently repaired and altered so as to make it suitable for the location of the Office of the Market Sargeant and that the Respondent has contrary to conditions 5 of the lease deed been using the said shop as a Go-down for storing goods, instead of using it strictly for trade purposes Against this it is contented on behalf of the respondent, that the improvements were effected as per his request and that at the time of occupation, he was forced to use it as a go-down only Admittedly the Respondent, has used the Shop in question for a purpose other than that for which it was leased This offends clause 8 (3) of the House Rent Control Order

I therefore, direct the Respondent, under clause 8 (3) of the H R C Order to put the Petitioner in possession of the Property - shops in Devaraja Market Buildings, within one month from the date of the order

Sd/- C M H Rajajodha Singh,
31/10/45 Controller

True Copy'
By
S Devariah,
9/11/45
Judicial Head Munshi,
District Office,Mysore



Mysore
Dated 6th November 45.

To

Dr T C.M.Royan,
Minister For Public Health & Education,
Public Offices, Bangalore

Respected Sir,

Re -My application to The Minister for Revenue & Law dated 21-11-44, and my petiton addressed to you on 17-9-45 regarding the attempts made by City Municipality, Mysore to eject me from Devaraja Market Buildings,Mysore

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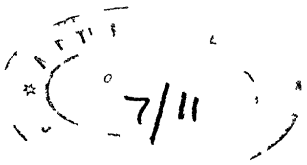
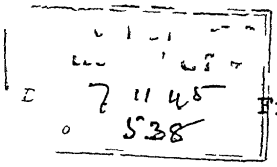


I may be permitted to invite your kind reference to my application dated 17th September 1945, explaining clearly to the precarious position to which I have been placed In this connection I may be permitted to state that I have been unnecessarily meddled with I have been made to figure in Court, before House Rent Controller, Mysore District Mysore As already stated in my Application addressed to Minister Of Local Self Government, I have to spend not only money but also forced to attend Court very often, which is really a worry to a businessman dated 21-11-1944

Under the above mentioned circumstances, I humbly request you to kindly summon for the entire records from the concerned, order for stay proceedings before the House Rent Controller, dispose off my case giving me an oppurtunity to represent my case either in person or through Council, directing the Municipality Mysore to fix up the Shutter to the newly fixed door frames, restore lighting service and see that the rights and previlleges of an humble citizen is let down

For which actm of kindness, I shall be ever grateful to you Sir

Yours Faithfully,
B S Thandavamurthy



From -
B S Thandava Murthy,
Sanitary & Water Supply Contractor,
Lansdowne Buildings, Mysore

7/11/45
Addl Secy

GEN & R'W SECTT
3525
20 NOV 1945
L S/G BRANCH

Office of the President,
City Municipal Council Mysore

No R8-457/43
Encl

Date 14-11-1945

From

R Ramachandra Rao Bhombore, Esq B A,
President City Municipal Council,
MYSORE

To

J.B Mallaradhya, Esq , M A ,
Additional Secretary to Government,
Bangalore

Sir,

With reference to your letter No L 1819 dated 7-9-45, and in continuation of this office letter No R8-457/43 dated 12-9-45, I have the honour to forward herewith for kind information of the Government, a copy of order passed by the House Rent Controller, Mysore District, ~~and to state~~ in C.D H R No 162/44-45 on his file and to state that a notice has been issued to the tenant (Respondent in the above case) for vacating the shops immediately

I have the honour to be,
Sir,
Your most obedient servant,

PRESIDENT

SNR

In the Court of the Deputy Commissioner, Mysore District, Mysore

No C.D.H R 162/44-45.

Petitioner		Respondent.
The President, City Municipal Council, Mysore	VS	B S Thandava Murthy.

(Under the House Rent Control Order)

ORDER

Heard the Counsels for the petitioner and the Respondent. The records were perused. It is urged on behalf of the petitioner-the Mysore City Municipality - that the shop let out as per the terms of a lease deed to the Respondent, has been recently repaired and altered so as to make it suitable for the location of the office of the Market Sergeant, and that the Respondent has contrary to condition 5 of the lease deed has been using the said shop as a godown for storing goods, instead of using it strictly for trade purposes Against this it is contended on behalf of the respondent, that the improvements were effected as per his request and that at the time of occupation, he was forced to use it as a godown only Admittedly the Respondent has used the shop in question for a purpose other than that for which it was leased This offends Cl 8(3) of the House Rent Control Order I therefore direct the respondent, under Cl 8(3) of the House Rent Control Order, to put the petitioner, in possession of the property -shop* in Devaraja Market Building -

within one month from the date of the order.

Sd C.M.H Ranajodh Singh,

Controller.
31-10-45.

"COPY"

PRESIDENT

MC 117-45 -6 & 5773

Endorsement granted to 1-1-46

To B S Thandava Murthy
Sanitary & water Supply Contractor
Lansdowne Buildings, Mysore

With reference to his petition dated 13-11-45 addressed to the Minister for Public Health and Education, requesting that the proceedings on the operation of the order relating to certain buildings in the Devaraj market, of which he is a tenant, Mysore, passed by the House Rent-Controller, Mysore City be suspended, the B S Thandava Murthy is informed that he may take steps

Open to him under the Law for Courts interfere at this stage in the matter

B.O

for Reve Ley

Memo dS774 dt 1-7-46

President's attn. He et Personnel for information reference to his no R 8-457/43, dated 14-11-45.

B.O

for Reve Ley